REMARKS

Claims 5 and 12 have been cancelled, claims 1-4, 6-11, 13-15 and 18-21 have been amended. Thus, claims 1-4, 6-11 and 13-21 are currently pending. No new matter has been introduced.

I.   Interview Summary

The undersigned would like to thank the Examiner for the interview conducted on April 28, 2007. The parties discussed the meaning of some of the Examiner's rejections. No such clarification was reached. In addition, the undersigned would like to thank Examiner Vy's supervisor- Examiner Don Wong- for the interview conducted on May 4, 2007. The Examiner Wong explained the meaning of the rejections set forth in the Office Action.

II.   Rejection of Claim 1 under 35 USC 101

The Examiner has rejected Claim 1 under 35 USC 101 as not falling within any of the categories of patentable subject matter.

Claim 1 has been amended to more clearly identify the structural elements of the system and how they interact. Because claim 1 recites physical structure, it is drawn to statutory subject matter.

It is therefore respectfully requested that this rejection be withdrawn.

III.   Rejection of Claims 1-5 and 7-21 under 35 USC 103(a)

A.   Claims 1-5 and 7-21

The Examiner has rejected claims 1-5 and 7-21 under 35 USC 103(a) as obvious over US Patent No. 6,122,663 ("Lin") in view of US Patent No. 6,675,161 ("Suchter") (collectively the "References"). Claims 5 and 12 have been cancelled and claims 1, 8 and 15 have been amended to clarify that the records being classified are located on the remote computer. It is respectfully submitted that claims 1-4, 7-11 and 13-21 are not obvious over the References because (1) there is no motivation to combine the References as suggested by the Examiner; and (2) the

combination of the References as suggested by the Examiner does not teach all the limitations of Claims 1-4 and 7-11 and 13-21.

In order to establish a *prima facie* case of obviousness: (i) there must be some suggestion or motivation to combine the teachings of two or more prior art references; and (ii) "all of the claim limitations must be taught or suggested by the prior art." MPEP §§ 2143 and 2143.03 (citing *In re Royka*, 490 F.2d 981 (C.C.P.A. 1974)). "If an independent claim is not obvious under 35 U.S.C. §103, then any claim depending therefrom is not obvious." MPEP 2143.03 (citing *In re Fine*, 837 F.2d 1382, 1385 (C.C.P.A. 1970)).

Lin discloses a system "for tracking program usage in a computer system" for billing purposes. (Col. 2, ll. 66-67). As part of this system, Lin utilizes a server computer 8 coupled to a client computer 1 that has a program monitor 4. (Col. 3, ll. 1-24). Program monitor 4 determines when an application is launched by client computer 1 and obtains and stores the time of the start of the application from server computer 8 in the local record file 5. (Col 4, ll. 60-67; Col 5, ll. 1-12). This application record is also stored in server computer 8 in remote database 10. (Col. 5, ll. 45-55). After the application is completed, program monitor 4 reports the end time of the application record to server computer 8, the remote database 10 is updated, and the application record is deleted from the local record file. (Col. 6, ll. 11-32). As noted by the Examiner, nothing in Lin discloses a system, method or means that classifies the record at the remote computer, as claimed in the rejected claims. (Office Action, pgs. 2-3).

Suchter, teaches a method and apparatus for managing changes to a directory of electronic documents. (Col. 4, ll. 20-21). More specifically, Suchter discloses a way to organize electronic documents in a search-and-retrieval system (i.e. a search engine system for the World Wide Web). (Col. 4, ll. 44-66). More particularly, the system in Suchter includes a database (master directory 122) in which pointers to the electronic documents (i.e., hypertext links) are stored. In addition, categories are created and stored in the database 122 to which the owner or operator of the database 122 assigns the pointers. Thus, in Suchter, the owner or operator categorizes pointers in the database, not the electronic documents themselves. (Col. 5, ll. 60-67; Col. 6, ll. 1-67; Col. 7, ll. 1-49 and Tables I & II).

In order to create and store the categories and assign the pointers to the categories, the owner/operator of the database 122 uses a directory application 124 residing on a directory

server 120. The directory application 124 is a software element that the directory application is executed by the administrative client 116 using a Java virtual machine in a browser 102. The owner/operator of the database 122 accesses the directory application 124 via an administrative client 116. However, the pointers themselves remain in the master directory 122 and the electronic documents 121 remain accessible via the origin server 120. Neither the electronic documents or the pointers are stored on the administrative client.

The Examiner states that Lin teaches all the limitation of the claims, except classifying a record at a remote computer and filing the record at a separate central database after the record is classified, which is taught by Suchter. (Office Action, pg. 3). According to Examiner Wong, the Examiner's position is that it would have been obvious to modify Lin's computer to provide data with a classifications in order to enhance the clarity of the different types of data (Office Action, page 3, last sentence). Further, it appears that the Examiner considers the administrative client 116 and the master directory 122 to correspond with the remote computer and the separate server, respectively, of the rejected claims.

However, the combination, as suggested by the Examiner, does not yield a system, method or means for classifying a record on a remote computer, wherein the record is located on the remote computer and storing the record on a separate database as claimed in the rejected claims. Rather, Suchter discloses a central server (directory server 120) in which the pointers (i.e. hypertext links) are created, categorized and stored. In contrast, the rejected claims recite that the records themselves must be located on the remote computer for categorizing. The system in Suchter stores pointers to documents on the server database 122 and does not store the actual documents on the remote computer. Thus, the References do not teach all the limitations of the claims.

In addition, there is no motivation to combine the References as suggested by the Examiner because the References, particularly Lin, teach away from the suggested combination. According to Examiner Wong, the Examiner's position is that the motivation to combine the References comes from creating a system that provides a secure way to log onto a server by

providing various levels of access as taught by Lin and the hierarchical software structures as taught by Suchter.

However, although Suchter allows an owner or operator to manually remove, reorder or change attributes associated with an electronic document (Col. 8, ll. 22-37), Lin specifically states that it is not desirable to allow a user to manipulate the data associated with an application record because such manipulation would cause inconsistencies with the usage fees. (Col. 5, 56-66). It is therefore respectfully submitted that there is no motivation to combine the References as proposed by the Examiner.

Therefore, it is respectfully requested that the rejection be withdrawn.

B.   Claim 6

The Examiner has rejected claim 6 under 35 USC 103(a) as obvious over Lin and Suchter in view of US Patent No. 6,725,228 ("Clark"). For the reasons set forth above, Lin and Suchter do not provide a motivation to combine the References as suggested by the Examiner and do not teach all the limitations recited in claim 1 from which claim 6 depends. In addition, Clark does not provide the motivation to combine the References nor does it teach a record management system on a remote computer that classifies records located on the remote computer.

It is therefore respectfully requested that the rejection be withdrawn.

CONCLUSIONS

It is respectfully submitted that pending claims 1-4, 7-11 and 13-21 are in condition for allowance, and such allowance is hereby requested.

Please charge $500.00 to Deposit Account No. 09-0007 to cover the small entity fee for a three (3) month extension of time. Additionally, please charge any additional fees that may be necessary to the same deposit account.

If any questions should arise in connection with the prosecution of the

Respectfully submitted,

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